sale of tobacco and that gave an opportunity to the Excise men to harass the merchants who were consequently put to innumerable difficulties. One reason alleged for introducing the license system was the possibility of smuggling through those taluks. But he was not aware of any case of smuggling having been brought to notice till now. He, therefore, suggested that the merchants in the two taiuks might be relieved from the liability to take out licenses for the sale of tobacco and keep accounts for the same.

The Member also urged the necessity for landing Jaffna tobacco at Colachel or Leepuram and bonding it in the Kottar Bankshall for the use of the merchants of Kottar, who at present were put to unnecessary inconvenience and hardship, as they had to get the article from Quilon and Alleppey, where alone it was bonded in warehouses.

*Dewan's reply.*—Noted.

## (5) MARINE.

**28. Colachel Pier.**

*Mr. N. Kunjan Pillai* (Member, T. I. C., Colachel) pleaded for more facilities being given for the development of trade and industry, especially the improvement of the ports in the State. The construction of the Cochin port should, the Member urged, bring the problem of the improvement of ports in Travancore nearer solution now than before. Of the 18 ports in Travancore there was not one possessing the natural advantages which Colachel had as a port. No doubt Alleppey was the most important port in Travancore. But in view of the large and special benefits the trading communities would derive when the Cochin harbour scheme matured into action, a considerable sum of money would have to be spent at Alleppey for its being converted into a suitable port with all up-to-date conveniences to the mercantile classes. On the other hand, Colachel had so many natural advantages and the situation of the port was admirably suited to shipping business. It was an ancient port in the days of the Dutch and ships used to anchor. Perhaps, it would be well to have a maritime survey conducted by experts to ascertain the capacity of our seacoast for the location and construction of ports at minimum cost. Even under present conditions there was considerable shipping business in Colachel; and on account of the want of a bridge for a short distance over the sea great loss was being caused to merchants. For instance, the Monczite Company which was exporting monozite sand was being put to heavy loss, as the sand got wet in the course of transport to the steamer. The Company was prepared to construct the bridge, if the Government would make a substantial money contribution towards its cost. The Member added that he was specially commissioned by the Company to bring the matter before Government. He therefore urged the construction of a harbour at Colachel and was of opinion that it would not require a heavy outlay.

*Dewan's reply.*—It does not appear possible to construct a pier at Colachel in the near future as the construction of the Trivandrum pier is not yet complete and several works in connection with it have yet to be carried out.

In regard to the offer of the Monozite Company to construct the pier at Colachel, the matter will be considered on receipt of a direct representation from them.

## III. PROTECTION.

### Legislation, Criminal and Civil Justice, and Registration.

### (1) *Legislation.*

**29. Appointment of a Committee for the introduction of a Bill relating to the Nanjinad Vellalas.**

*Mr. A. Thanumalayaperumal Pillai* (Member, Thovala taluk) represented that there was not a more urgent subject which a Member of the Assembly from Thovala could take up than the need for reforms in the customary law by which Nanjinad

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Vellalas who formed the bulk of the people in the two taluks were being governed. He then gave the early history of the proposed legislation which was withdrawn and observed that no time should be lost in enacting the law. On account of uncertainties in the system of inheritance, Government also were claiming properties of Nanjinad Vellalas in alleged cases of escheat. He then reviewed the judicial decisions on the subject and submitted that the High Court itself had expressed opinions which questioned the legal validity of marriages among the community performed under customary law. It was a matter of grievance to them that the legality of their marital alliances should remain an open question. It could not be said that the members of the community were contented with their present system of inheritance and succession and the judicial decisions had practically declared them Marumakkathayees, pure and simple, which was not the case. Their leaders like the late Mr. Sivan Pillai had been protesting against that view and submitting memorials and petitions to Government requesting from so early a period as 1070 to give them a law on the subject conforming to the present-day ideas and ideals. The Member contended that they were not Marumakkathayees and that what they had been following was a mixed system of Makkathayam and Marumakkathayam which, he stated, was forced on them for political purposes; what they wanted urgently was a law embodying firstly right to individual partition. Secondly, the children of a man or woman should be accepted as his or her heirs with the right to take paternal and maternal properties in equal shares. Thirdly, in the absence of descendants, paternal and maternal properties should devolve on paternal and maternal relations respectively up to a certain degree. Fourthly, divorce should be granted by Courts for proper reasons such as incapacity for sexual felicity, incurable disease in either party, adultery in woman, and adultery and cruelty in man. In conclusion, the Member prayed that the details might be worked out on the analogy of the Hindu law.

*Dewan.*—A Bill was once introduced into the Legislative Council. But, as the people concerned were not satisfied with it, it was withdrawn with a view to bring in a more comprehensive Bill. Do you now press for a Committee ?

*Member.*—We do not want a Committee, but we want a Bill embodying the points already urged.

*Dewan's reply.*—Early action will be taken to introduce a fresh Bill in the Legislative Council.

**30. Need for a legislative enactment to regulate inheritance and succession among Pulayas.**

*Mr. Karumban Daivathan* (Member, Nominated) submitted that the system of inheritance among Pulayas depended on that of their land-lords. In ancient days when they were slaves they had nothing to own as theirs. But now on account of the generous policy of Government they had become owners of lands and had been able to secure landed property. The necessity, therefore, arose for a fixed and definite system of inheritance. The decisions of the High Court were inconclusive, as they seemed to recognise three forms of inheritance, *viz.*, Makkathayam, Marumakkathayam and a mixture of the two. The want of a law of succession worked great hardship among them and gave room for a good deal of litigation in which the illiteracy and ignorance of the Pulayas were taken advantage of by others. The Member, in conclusion, prayed that a law of inheritance and succession be enacted in which there should be provisions to—

(1) make the issue from duly married couples the real heir ;

(2) allow each man to marry one woman and each woman to have only one husband ; and

(3) declare a marital tie null and void only on the written consent of either party, or on the death of either party, or on the strength of a decision passed by a duly constituted court of law.

The Member added that the proposed law might be enacted either through a Committee or otherwise.

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